

**DATE:** May 25, 2004

**TO:** Chairman and Members of the Planning and Development Committee

**FROM:** Edward R. Sajecki, Commissioner of Planning and Building

**SUBJECT:** **Report on Comments - Proposed Heritage Conservation District Plan - Official Plan and Zoning By-law Amendments Port Credit Heritage Conservation Feasibility Study**  
**PUBLIC MEETING DATE: June 14, 2004**

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**ORIGIN:** Planning and Building Department

**BACKGROUND:** City Council on May 28, 2003 considered a report titled "Proposed Heritage Conservation District and Interim Control By-law - Port Credit Heritage Village" dated April 29, 2003 from the Commissioner of Planning and Building and adopted the following recommendations:

- "1. That the Community Services Department undertake a Heritage Preservation Feasibility Study for the lands south of Lakeshore Road West, west of the Credit River, north of Lake Ontario and east of Mississauga Road South to determine if there is merit in the heritage preservation for the area, and to recommend measures to be undertaken to achieve such preservation as outlined in the report titled "Proposed Heritage Conservation District and Interim Control By-law - Port Credit Heritage Village" dated April 29, 2003 from the Commissioner of Planning and Building.

2. That pursuant to S.38(1) of the *Planning Act*, an Interim Control By-law for all lands south of Lakeshore Road West, west of the Credit River, north of Lake Ontario and east of Mississauga Road South be enacted by City Council to allow for the Heritage Preservation Feasibility Study to be completed as outlined in the report titled "Proposed Heritage Conservation District and Interim Control By-law - Port Credit Heritage Village" dated April 29, 2003 from the Commissioner of Planning and Building."

Subsequently, City Council on December 17, 2003 considered a report titled "Status Report - Port Credit Heritage Conservation Feasibility Study - Phase One" dated November 18, 2003 from the Commissioner of Planning and Building and the Commissioner of Community Services which concluded that the study area was rich in heritage resources and, therefore, merited further study into how the heritage resources could be conserved. Consequently, at that time, City Council adopted the following:

- "1. That the report titled "Status Report - Port Credit Heritage Conservation Feasibility Study - Phase One" dated November 18, 2003, from the Commissioner of Planning and Building and the Commissioner of Community Services be received, and that Phase Two of the Port Credit Heritage Conservation Feasibility Study be completed in accordance with Resolution PDC-0062-2003 which directed the Community Services Department to undertake the study.
2. That future Public Meetings be held at the Planning and Development Committee to review the draft planning tools to be developed in Phase Two of the Port Credit Heritage Conservation Feasibility Study."

Pursuant to the above noted recommendations, draft planning tools were developed in consultation with the residents, and were presented to Planning and Development Committee on April 5, 2004 in the report titled "Proposed Heritage Conservation District Plan - Official Plan and Zoning By-law Amendments -

Port Credit Heritage Conservation Feasibility Study - Phase Two" dated March 16, 2004, from the Commissioner of Planning and Building. That report provided an overview of these tools, as proposed by the consultants, initiated the formal public review process, and sought to obtain direction to hold a public meeting at the Planning and Development Committee in accordance with the *Planning Act*.

Consequently, on April 7, 2004 City Council adopted the following:

"That a public meeting be held at the Planning and Development Committee to consider the proposed Heritage Conservation District Plan, and amendments to Mississauga Plan and Zoning By-law 1227 and Site Plan Approval By-law as outlined in the report titled "Proposed Heritage Conservation District Plan - Official Plan and Zoning By-law Amendments - Port Credit Heritage Conservation Feasibility Study - Phase Two" dated March 16, 2004, from the Commissioner of Planning and Building."

## COMMENTS:

### **1.0 Study Organization and Methodology**

The study was divided into two phases:

Phase One, completed in December, 2003, consisted of research, inventory, analysis and recommendations on planning tools to be further investigated in Phase Two, which is the subject of this report.

In Phase One, the consultants recommended:

- that the area merits heritage conservation;
- protection measures, within the appropriate heritage planning framework under the *Ontario Heritage Act* as a Heritage Conservation District, and the *Planning Act* (Official Plan and Zoning By-law amendments, Site Plan Approval).

In accordance with the recommendation adopted by City Council that Phase Two be completed, the consultants prepared:

- the identified protection measures in consultation with the community;
- priorities for heritage conservation;
- opportunities for historical interpretation; and
- other measures to help conserve the area's historical character.

The April 5th, 2004, meeting at Planning and Development Committee initiated the formal public review process of the consultants' draft proposals. A community meeting, to which all residents were invited, was held on April 7, 2004 to explain the proposals and solicit feedback. Since that time, comments have been received from the residents. Based on comments received and further staff review, the consultants have prepared a revised draft Heritage Conservation District Plan, together with revised draft Official Plan and Zoning By-law amendments.

The purpose of this report is to review the comments received on the proposals (Exhibit 1), the consultants proposed revisions to their draft planning tools, and to recommend a course of action.

Attached are the following:

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| Exhibit 1 | Report on Comments, Planning and Building Department, dated May 2004;           |
| Exhibit 2 | Planning Vision and History;  |
| Exhibit 3 | Port Credit Harbour Study Master Plan;  |
| Exhibit 4 | Revised Final Draft Heritage Conservation District Plan (under separate cover); |
| Exhibit 5 | Revised Draft Official Plan amendments;   |
| Exhibit 6 | Revised Draft Zoning By-law amendments;   |
| Exhibit 7 | Proposed Application Process; and   |
| Exhibit 8 | Implementation Strategy Approval Process For Private Property.                  |

## **2.0 Comments**

### **2.1 Public Review**

Exhibit 1 reviews the comments received, identifies how they have been addressed by the consultants and, where appropriate, provides a recommendation.

In summary, the following comments were received at the public information meetings on the draft proposals, and in written submissions which were taken into consideration by the consultants and staff in preparing final recommendations for consideration by Planning and Development Committee:

- support for the principle of the designation of the area as a Heritage Conservation District and having a Heritage Conservation District Plan (HCDP);
- objecting to the principle of the designation of the area as a Heritage Conservation District and having a Heritage Conservation District Plan;
- the interventions which will require a Heritage Permit are excessive and restrictive;
- the approval process required for a Heritage Permit, in conjunction with a building permit and site development plan approval, is confusing and time consuming;
- some residents believe that additional townhouses, now permitted by the "Mainstreet Commercial" designation on the west side of Front Street South, are inconsistent with the historic village character and should be prohibited;
- other residents disagree and support the uses now permitted by the "Mainstreet Commercial" designation on the west side of Front Street South;

- modify the boundary of the Port Credit node to exclude the lands south of Lakeshore Road West and west of Front Street South to discourage redevelopment and intensification;
- concerns with the potential impact of future commercial development on Port Street West on adjacent residences;
- regulate total building height of infill housing;
- the need for a buffer along the west side of Mississauga Road South from development on the former oil refinery lands west of Mississauga Road South and to establish a maximum building height reflective of that of development on the east side of Mississauga Road South.

## **2.2 Departments and Other Jurisdictions**

The proposed HCDP, Official Plan and Zoning By-law amendments were circulated to the following City Departments and other jurisdictions which may have an interest in the proposals. Their concerns are addressed in the appropriate sections of this report or in Exhibit 1:

- Mississauga Transportation and Works Department;
- Mississauga Community Services Department;
- Mississauga Finance Department;
- Economic Development Office;
- Region of Peel; and
- Credit Valley Conservation.

## **3.0 Recommended Heritage Planning Framework**

Based on comments received, the consultants recommend the following heritage planning framework:

- designate the study area as a Heritage Conservation District;
- adopt a Heritage Conservation District Plan;

- amend Mississauga Plan by adding Special Site policies to the Port Credit District Policies;
- amend the Port Credit Zoning By-law 1227 to conform to Mississauga Plan, as proposed to be amended, and incorporate new development standards for construction; and
- amend the Site Plan Control By-law 1127-85 to extend the approval of a site development plan for new, or additions, to detached dwellings. This would mean that all development within the District would be subject to Site Plan Approval.

#### **4.0 Planning Vision and History**

Consideration of the revised draft planning tools, as described in the following sections, necessitates an understanding of the planning vision for this area, as it has evolved since the late 1980's. Exhibit 2 details the planning vision and history, which may be summarised as follows:

- since 1987, City Council's planning vision for the lands on the east and west side of Front Street South has consistently been one of harbour-related, mixed residential and commercial uses;
- this vision also comprises heritage conservation, including the potential for the subject lands to be designated as a Heritage Conservation District. Policies require any redevelopment to respect and complement the historic character and heritage of the neighbourhood;
- the lands on the west side of Front Street South constitute a transition between more intensive, mixed use harbour-related development on the west side of the Credit River Harbour, and a heritage village to the west;
- redevelopment could still be permitted with heritage conservation, subject to special design guidelines; and

- this vision was developed and refined using extensive public participation programs in the preparation of the Harbour Study (the "Get Your Feet Wet" campaign), the Waterfront Plan, and the Port Credit District policies.

### **5.0 The *Ontario Heritage Act***

The *Ontario Heritage Act*, Part V, provides the authority for a municipality to establish Heritage Conservation Districts.

The purpose of designating an area as a Heritage Conservation District is to recognize the unique character and heritage resources within a defined area. The adoption of a Heritage Conservation District Plan provides the municipality with a guide to conserving and enhancing the heritage character of the area.

A property owner within a Heritage Conservation District will need to consult the Heritage Conservation District Plan when considering alterations to their property. Each property will be evaluated on its own merit, but always within the context of how the proposed alterations may affect the overall district.

Minor alterations, which have little affect on the property, will be of less concern to the district, in contrast to new construction which may have a greater impact. The review of applications will address impacts to neighbouring properties and the neighbourhood in general, with less emphasis on the architectural detail of an individual building, unless it is deemed to be of particular heritage significance.

The Ministry of Culture is proposing changes to the *Ontario Heritage Act*. The proposed changes are generally in current practice, such as the requirement of a Heritage Conservation District Plan. Other amendments to the Act include the authorization for a municipality to enact an interim control by-law for up to one year in order to study an area under consideration as a Heritage Conservation District, and the delegation of authority from City Council for staff to approve minor alterations, which is

currently dealt with by the *Municipal Act*. After the amendments are approved, the City will re-visit the Heritage Conservation District Plan and make adjustments as required.

## **6.0 Revised Final Draft Heritage Conservation District Plan**

### **6.1 Revisions to the Draft Heritage Conservation District Plan**

Based on the comments received, the consultants have made the following revisions to the draft Plan:

In response to concerns expressed by City Council, and after consultation with Finance Department staff, the following sections were reviewed and are deleted due to their potential financial impact:

"4.6.2 The City will consider financial incentives, such as loans, grants and property tax relief, for owners of properties designated under Part IV or Part V of the *Ontario Heritage Act*.

4.6.3 The City will consider establishing a fund for archaeological investigation and recovery to support archaeological excavations on City land and to offset the costs of archaeological assessment by private property owners."

The consultants are recommending that the City enact a delegation by-law that would provide staff with the authority to act on behalf of City Council to approve minor alterations to property within the HCDP. The consultants also recommend that the By-law identify minor alterations which will be deemed to have received a heritage permit without the need for staff approval.

Only buildings of historic interest will be subject to a full review. Complementary and other buildings will receive an accelerated approval delegated to staff.

## **6.2 Components of the Heritage Conservation District Plan**

### Goals

The proposed Old Port Credit Village Heritage Conservation District Plan (Exhibit 4) achieves two major goals. First, it documents and provides recognition to the cultural heritage resources of the neighbourhood. Second, the plan serves as a guide to physical change which allows for careful review to ensure changes are compatible and contribute to the district's heritage character. It is not the intent of the plan to prevent change or freeze the district's physical features in time. The plan applies to both private property and City-owned lands.

### Organization

The proposed Old Port Credit Village Heritage Conservation District Plan is organized into three general topics. The plan provides a summary and illustrations of the defining elements of the district's general historic character. The defining elements are followed by the goals and objectives of the plan and its supporting policies.

The policies are of particular importance as they provide enforceable direction toward appropriate heritage conservation, but are permissive rather than restrictive in nature. The policies, to be read in conjunction with Mississauga Plan, address general land use, buildings of historic interest, complementary buildings, other buildings (as described below), front yards, streets and public rights-of-way, Marina Park, J.C. Saddington Park, Imperial Oil lands, and public awareness.

### Building Types

The plan distinguishes among three major building types. The first is described as "buildings of historic interest". These are properties that have been identified for their cultural heritage significance. Second, there are "complementary" buildings which are similar in size and scale to buildings of historic interest but do not have a particular historical significance. The third, and smallest category, is classified as "other", and includes structures such as multi-unit residences and non-historic commercial properties.

### Implementation Strategy

To ensure that the proposed policies are effectively carried out, the plan includes an implementation strategy. The strategy recommends adoption of the area as a Heritage Conservation District under Part V, the *Ontario Heritage Act*, various Official Plan and Zoning By-law amendments, the initiation of Site Plan Approval for all development within the district. It is important that an application review process be established for the alteration of properties within the district.

The plan presents principles and guidelines which provide guidance to both the property owner and the City. These are general in nature and will assist in the application review process for any scale of project. Though the guidelines do not address specific architectural detail there is sufficient information to provide both the property owner and the City with the tools to make informed decisions.

## **6.3 Impact on Residents**

### Review Process

If the study area becomes a Heritage Conservation District, both the property owner and the City will develop a heightened awareness. Development of properties will be subject to a

careful review to conserve those aspects of the area's heritage character that are valued by the residents.

Every effort has been made in this study to minimize impacts of the review process on the property owners. For new development, details such as particular architectural styles, fencing, and paint colour will not be addressed. These elements do not affect the overall character and can be discussed with a property owner on an individual basis. Concerns will focus on the size, massing and placement of new buildings on a property respecting the heritage context.

#### Buildings of Historic Interest

If a property owner has a building of historic interest, a review process will take place. Alterations that comply with the Heritage Conservation District Plan (HCDP) will be subject to an expedited staff review.

The extent of that review will depend on the degree of alteration. Simple alterations like the changing of windows, doors, masonry cleaning, new gutters and down spouts, and other repairs will be delegated to staff for quick approvals. Additions and other significant alterations to a building of historic interest will require a full review of the local heritage review committee and the City's Heritage Advisory Committee.

#### Demolition

Demolition of buildings of historic interest will generally be discouraged, but there may be examples where removal is justified. All decisions will be made in the context of the property's relationship to adjacent properties and the district as a whole.

### Complementary and Other Buildings

Buildings which are classified as "complementary" will only be reviewed for large additions or replacement. Minor alterations and repairs will not be reviewed and will be deemed to be granted a heritage permit through the delegation of authority to City staff. Alterations that comply with the Heritage Conservation District Plan (HCDP) will be subject to an expedited staff review. The buildings which have been categorized as 'other' will only be reviewed when seeking replacement or significant alteration that may affect adjacent properties.

#### **6.4 Community Services Comments on the HCDP**

Some area residents have commented that it is too late to save the area. There are, however numerous physical elements that remain as well as the long history behind the neighbourhood. The actual history of the area dates back thousands of years to the prehistoric occupation by native peoples. In more historic times, the area was inhabited by the Native Mississauga who held the controlling interest in the Port Credit Harbour Company established in 1834.

In the next year, 1835 the town was planned by the British government in a traditional grid pattern. This same pattern remains today and is the best example of early town planning within Mississauga. In addition to the basic physical layout of the neighbourhood, there is the rich marine history as the area has always related to the Credit River and Lake Ontario.

The physical heritage character elements that have been identified by the consultants include the following:

- out of the 103 properties within the study area, 42 were of particular historical interest and 48 were complementary in nature, meaning that they were similar in size and scale, but perhaps not individually historic. Together this 87% of the building stock provides a strong character that has developed over time and still predominates;

- the general historic character is defined by smaller residential buildings on larger lots, generous yards and green space, with mature trees;
- a variety of land uses, which include community, residential, commercial, and open spaces.

Staff concur that all of these features combined provide a strong historic character and physical identity to the neighbourhood that is not too late to conserve and protect.

### **6.5 Financial and Budgetary Impact of the HCDP**

The Finance Department comments as follows with respect to the financial and budgetary impact of the HCDP:

"The policies, goals and objectives set out in this planning document are mentioned in order to guide changes that will occur throughout the Old Port Credit Heritage Conservation District. As these guidelines are addressed, a variety of measures to implement them will be faced. Financial impacts may have significant bearings on these measures. Funding any of the recommended policies or goals within this plan must first look to the community to share in the costs of these enhancements in the form of fundraising efforts, partnerships as well as grants from all levels of governments. None of the proposed initiatives have been incorporated into the City's budget planning for 2004 or 2005."

### **7.0 Revised Draft Mississauga Plan Amendments**

Exhibit 5 is a summary of the proposed amendments to Mississauga Plan recommended by the consultants. Among other matters, the consultants recommend the following amendments:

## **7.1 Components of the Amendment**

### Community Use Special Site

Identify the institutional uses (defined as "Community Uses" by Mississauga Plan) along Lakeshore Road West and Port Street (including Clarke Hall, the Masonic Temple, Port Credit Fire Station, First United Church, St. Mary's Church and Cemetery) as a Special Site, within the Mainstreet Commercial designation, with policies to preserve the character of the buildings and properties, including preserving the exterior character of the structures and related exterior open space areas. The recommended amendments are consistent with the conservation of the heritage character these institutions contribute to the study area.

### Existing Apartment Buildings

Redesignate three existing five and six-storey apartment buildings at 36 Front Street South, 27 John Street South, and 11 John Street South from "Residential Low Density I" to "Residential Medium Density III" to recognize that they form part of the character of the area, but limited to their current height and density.

### Marina Park

Identify Marina Park, located between Front Street South and the Credit River, as a Special Site, within the Open Space designation, to recognize its potential as a vibrant river and village edge and identify principles to guide its possible development, subject to the preparation of a Master Plan by the City.

### Mainstreet Commercial - Front Street South

The Mainstreet Commercial designation as it applies to the west side of Front Street South, when read in conjunction with the Special Site 3 Policies of the Port Credit District Policies,

permits residential, office, and retail commercial uses, either individually or mixed in the same building. This includes townhouses, with a maximum Floor Space Index of 1.3, in recognition of the existing development north of the Wilcox Inn.

The consultants believe that, while townhouse development is compatible with existing land uses, this form of development is inconsistent, from a heritage standpoint, with the Heritage Conservation District. They propose to amend the Special Site 3 policies to have the following effect:

- prohibit townhouses (except the existing townhouses at 28 Front Street South) and free-standing apartment buildings. Mixed retail and office commercial uses with apartments on the second floor, as well as detached dwellings will be permitted;
- buildings, including amenities and signage, whether new or modified, will have a detached dwelling residential appearance, which is consistent with the form, design, and scale of the surrounding residential area and the use will have a limited impact on the low density residential character of the area;
- locate garages behind the front wall and to the side of the building; additional parking will be accommodated to the side and rear of the lot;
- encourage the retention of buildings of historic interest within any future redevelopment; and
- front yards shall be mostly landscaped and oriented to Front Street South.

The consultants propose to adjust the extent of the Mainstreet Commercial designation to apply only to those lands immediately abutting onto Front Street South. This would have the effect of removing No.'s 25 and 27 Port Street West and 26 Bay Street

from the Mainstreet Commercial designation and applying a "Residential-Low Density I" designation to these properties.

The intent of this amendment is to recognize the opportunity for Mainstreet Commercial uses only on those properties which either front or abut directly onto Front Street South opposite Marina Park. The deletion of the Mainstreet Commercial designation from the three properties noted above would have the effect of maintaining existing Low Density Residential land uses which relate to the interior of the village.

#### Node Boundary

The consultants recommend that the node boundary be shifted to the centre of Front Street South, including within it the 20- storey apartment building and Marina Park.

#### 23 - 25 Peter Street

The consultants recommend that the Residential Low Density I designation be amended to recognize the existing duplex at 23 - 25 Peter Street.

### **7.2 Planning and Building Department Comments on Revised Draft Mississauga Plan Amendments**

The revised amendments to Mississauga Plan proposed by the consultants strike a reasonable balance for the study area and neighbouring lands between heritage conservation and mixed use, harbour-related development and should be approved.

Although additional townhouse development would not be permitted on the west side of Front Street South, a mixture of retail and office commercial development, with apartments above, in converted detached dwellings, or in new buildings with a similar appearance, is consistent with the long term planning vision for these lands, albeit at a lesser intensity.

This vision identifies these lands as a transition area, between harbour - related development and a heritage village, in which mixed residential and commercial uses are permitted, provided that redevelopment respects and complements the historic character and heritage of the neighbourhood. Further, the proposals also recognize the interests of the property owners by still providing for redevelopment opportunities. Consequently, they are supported.

The proposed Mississauga Plan amendments are predicated upon the approval of a HCDP for the District. While townhouse development is compatible with the existing planning vision, and the existing land uses, this form of development was determined by the consultants to be inconsistent, from a heritage standpoint, with the Heritage Conservation District. Therefore, the proposed amendments should not be adopted unless the HCDP is approved.

## **8.0 Revised Draft Zoning Bylaw Amendments**

Exhibit 6 is a summary of the proposed amendments to City of Mississauga (former Town of Port Credit Zoning By-law 1227) recommended by the consultants.

In some cases, amendments are required to bring the by-law into conformity with Mississauga Plan. Other amendments are intended to guide development to be consistent with the HCDP. Among other zoning by-law amendments, the consultants recommend the following:

- rezone the lands largely occupied by detached dwellings, which are designated "Residential Low Density I" from "H-R4" to "R1 - Special Section" to permit only detached dwellings subject to, among others, the following standards:
  - minimum lot area of 500 m<sup>2</sup> (5,382 sq. ft.);
  - minimum lot frontage of 12 m (39 ft.);
  - maximum height of 8.2 m (27 ft) and a maximum of 6.4 m (21 ft.) to the lower edge of the eaves;

- minimum front yards equivalent to existing front yards;
  - minimum side yards of 3 m (10 ft) on one side and 1.2 m (4 ft) on the other side;
  - maximum gross floor area for the main building of 139 m<sup>2</sup> (1,496 sq. ft.) plus 0.2 x the lot area to a maximum of 275 m<sup>2</sup> (2,960 sq. ft.);
  - minimum 40% of lot area for landscaped open space.
  - a provision which deems all existing buildings and lots as conforming with the zoning by-law.
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- rezone Marina Park from "P" to an "H-P" zone (Holding Open Space), to permit, subject to the removal of the "H" prefix, in addition to public open space uses, such uses as offices, retail commercial including restaurants without a drive-through facility, art galleries and artisan studios, an academy for performing arts, museum, community uses, private community centres and conference centres;
  - rezone the existing five and six-storey apartment buildings at 36 Front Street South, 27 John Street South, and 11 John Street South from "R4", "H-R4" and "C 5" to "R4 - Special Section" with special restrictions limiting height and density to their existing height and number of apartment units;
  - amend the "C4" zone, which applies along Mississauga Road South from Lakeshore Road West to Port Street, to permit a detached dwelling and remove automobile oriented uses;
  - zone the unzoned portions of J.C. Saddington Park as "P";
  - amend the "C5" zone to prohibit apartment buildings, but still allow apartments above commercial uses; and
  - recognize the existing duplex at 23-25 Peter Street.

### **8.1 Planning and Building Department Comments on Revised Draft Zoning By-law amendments**

The existing zoning by-law is obsolete. It has no limits on the height or size of dwellings, allows undesirable commercial uses, does not recognize existing lot patterns, and leaves some park areas without a zone.

Amendments are required to bring it into conformity with Mississauga Plan as proposed to be amended, recognize existing land uses, prohibit certain commercial uses, and guide development consistent with the Heritage Conservation District Plan. The proposed amendments will, among other matters, only permit detached dwellings in areas planned for this use; recognize the existing apartment buildings; and will permit dwellings with a reasonable size and height consistent with the heritage character of the area.

The proposed zoning by-law amendments recommended by the consultants are endorsed by staff and should be approved.

The proposed zoning by-law amendments, particularly those which limit building height and size, are based on an analysis of the heritage dwellings and are designed to ensure that development taken place consistent with the heritage character. Therefore, the zoning by-law amendments should not be adopted unless the HC DP is approved. If they are not adopted, a rezoning of the subject lands will be take place through the comprehensive review of the Zoning By-law.

### **9.0 Site Development Plan Approval**

The consultants recommend that the Site Plan Approval By-law be amended to extend the requirement for the approval of a site development plan to detached dwellings within the study area.

Minor alterations and additions to detached dwellings would be subject to site plan approval, but such applications would be dealt with by staff in an abbreviated fashion, having regard for the nature, size and location of the alteration. Given the relatively small number of additional properties that would now be subject to site plan approval, the extension of site plan approval to include detached dwellings, if approved, is not expected to have a significant impact on staff resources.

Exhibit 7 demonstrates the approval processes for these applications, which may be processed concurrently.

Exhibit 8 identifies the activities which will require the approval of a site plan, building permit and heritage permit.

**CONCLUSION:**

The built form of Old Port Credit Village reflects its rich history of human occupation and use, which should be conserved and enhanced by the strategy recommended by this report.

This strategy recommends designation of the area as a Heritage Conservation District under Part V, of *The Ontario Heritage Act*; the adoption of a Heritage Conservation District Plan; various Official Plan and Zoning By-law amendments, the initiation of Site Plan Approval for all development within the district, and other possible City initiatives.

**RECOMMENDATIONS:**

1. That a by-law be enacted to designate the lands south of Lakeshore Road West, west of the Credit River, north of Lake Ontario and east of Mississauga Road South as a Heritage Conservation District, in accordance with Part V of the *Ontario Heritage Act*.
2. That a by-law be enacted to adopt the Heritage Conservation District Plan attached as Exhibit 4 to the report titled "Report on Comments - Proposed Heritage Conservation District Plan - Official Plan and Zoning By-law Amendments Port

Credit Heritage Conservation Feasibility Study" dated May 25, 2004 from the Commissioner of Planning and Building.

3. That a by-law be enacted to delegate to staff the authority to approve applications for a Heritage Permit for buildings not of historic interest, applications for a Heritage Permit for minor works on buildings of historic interest, and to deem certain other works to already have been issued a Heritage Permit as described in the report titled "Report on Comments - Proposed Heritage Conservation District Plan - Official Plan and Zoning By-law Amendments, Port Credit Heritage Conservation Feasibility Study" dated May 25, 2004, from the Commissioner of Planning and Building.
4. That, subject to Recommendation 1, an Official Plan amendment be prepared for adoption based upon the proposed Official plan amendments attached as Exhibit 5 to the report titled "Report on Comments -Proposed Heritage Conservation District Plan - Official Plan and Zoning By-law Amendments, Port Credit Heritage Conservation Feasibility Study" dated May 25, 2004 from the Commissioner of Planning and Building.
5. That, subject to Recommendation 1, an amendment to Zoning By-law 1227 be prepared for adoption based upon the proposed zoning by-law amendments attached as Exhibit 6 to the report titled "Report on Comments- Proposed Heritage Conservation District Plan - Official Plan and Zoning By-law Amendments, Port Credit Heritage Conservation Feasibility Study" dated May 25, 2004 from the Commissioner of Planning.
6. That, subject to Recommendation 1, the Site Plan Control By-law be amended to require the approval of a site development plan for all detached dwellings within the area south of Lakeshore Road West, west of the Credit River, north of Lake Ontario and east of Mississauga Road South, as recommended by the report titled "Report on Comments-

Proposed Heritage Conservation District Plan - Official Plan and Zoning By-law Amendments, Port Credit Heritage Conservation Feasibility Study" dated May 25, 2004 from the Commissioner of Planning and Building.

7. That the Commissioner of Planning and Building be authorized to effect editorial and minor modifications to the proposed Heritage Conservation District Plan, and the proposed amendments to the Official Plan and Zoning By-law amendments in Recommendations 4 and 5, respectively, of the report titled "Report on Comments- Proposed Heritage Conservation District Plan - Official Plan and Zoning By-law Amendments, Port Credit Heritage Conservation Feasibility Study" dated May 25, 2004 from the Commissioner of Planning and Building, provided that they maintain the principles of those documents.

Original Signed By: \_\_\_\_\_

Edward R. Sajecki  
Commissioner of Planning and Building

**Report on Comments  
Port Credit Heritage Conservation Feasibility Study**

May, 2004

Prepared by:

Policy Planning Division  
Planning and Building Department



**Report on Comments  
Port Credit Heritage Conservation Feasibility Study**

**1. Heritage Conservation District (HDC)**

Residents have expressed a wide range of views, opinions and questions regarding the establishment of the study area as a Heritage Conservation District, under Part V, the *Ontario Heritage Act*. The following outlines residents' concerns and staff responses:

**General Comments in Support:**

*I am in support of the Heritage District designation.*

*In the many renovations that we have done to our Victorian style home, the staff at the Heritage desk have been most helpful and have never hindered our renovations in any manner.*

*Without the Heritage District designation we worry that: a) In the future, the OMB and Committee of Adjustment will more easily overturn new zoning prohibitions of monster homes, townhouses and even new apartments by judging that the city lacks real commitment. b) The neighbourhood character will slowly degrade over the years as inappropriate renovation and infill development takes place without guidance. c) We will lose the extra increases in property value.*

*What makes the area unique is the boundary. Pine Street can clearly be seen now that the Esso Building is gone. The unique village character of Old Port Credit should be protected.*

*I live in the Parkinson house at 37 Mississauga Road South which is a Heritage house. The history and heritage of the area make it valuable to a healthy city.*

*Revise Heritage Conservation District plan so that buildings of historic interest remain in situ and avoid demolition or removal.*

*Over the past few years several monster homes, townhouse and other new development has occurred which has caused change.*

**Response**

There are residents who support the establishment of a Heritage Conservation District through the understanding that the district is not only a heritage asset to Port Credit, but to all of the City of Mississauga. This is a planning tool to control change over time, respecting the past and allowing it to be well integrated into the future.

### **General Comments in Opposition:**

*No heritage restrictions should be placed on a home if the owner does not want it.*

*Residents support recommendations dealing with monster homes and apartments but the negativity to the proposed designation has been thus far shoved under the carpet, ignored and trivialized. Overall, the committee has talked down any negativity and seems to be continually pushing the district designation without listening to the community. It is almost as if it is a foregone conclusion.*

*There are some lovely homes and buildings that should be declared heritage by their owners if they so desire, but the definition has been stretched in a lot of cases.*

*There should be less focus on protecting the architectural details of a building as this constitutes 'preservation' of individual buildings and not 'conservation' of the village.*

*I disagree with the requirement to never create a false historical appearance.*

*The guideline of replacing windows with ones that match is too restrictive. Also, there should be less emphasis on making new work look like original detail.*

*Residents should offer their own properties for heritage designation before the City enforces restrictions.*

### **Response**

The purpose of a Heritage Conservation District is to provide for planned changes and alterations to a given area so that change will occur in a sympathetic and supportive manner to the defined character. If individual properties, regardless of their age or style, were exempt from the District, then it would defeat the purpose of a holistic approach. The goal is to provide a 'conservation' approach, whereby, the defining heritage character elements are protected over time. The introduction of false heritage elements, or those which are introduced, but were never part of the fabric of the community, can, over time, create a 'heritage Disneyland', where it is difficult to distinguish what was original and what was created to fit some ideal that never existed.

### **Specific Comments**

*What additional protection does a HCD provide and why do we need it?*

### Response

The establishment of a Heritage Conservation District is a planning exercise. The purpose is to produce a HCD Plan that identifies the historic character and plans for the evolution and change of the district within a controlled manner. A HCD provides for a careful review, by the community, on the development of all lands over time.

The goal is not to freeze the area into any particular time zone, but to allow change in the context of the entire neighbourhood, always aware of how the change to one property may effect the greater neighbourhood. Every alteration is viewed in the context of how it fits into the district. The implementation of zoning and Site Plan Application process may control individual properties, but without public consultation, and do not provide a context for development taking into considerations the neighbourhood as a whole.

It is the holistic approach that a HCD will provide through examination of not only individual residential lots, but also commercial properties, institutional, parks, street treatment, street lighting, trail systems, and historic interpretive opportunities. The creation of a Heritage Conservation District puts all planning and development decisions into a context of neighbourhood character and appropriate development.

*What is the approval process and how much longer will it take to get a building permit?*

### Response

The consultants are recommending that the City enact a delegation by-law that would provide staff with the authority to act on behalf of City Council with minor alterations to property within the HCD. (For example permission to change a window, door, siding, roofing materials, masonry cleaning, etc. should be approved at the staff level without having to go through a full review.)

The delegation of approvals for minor alterations has been introduced by the Ministry of Culture as an amendment to the *Ontario Heritage Act*. The heritage approval for minor alterations should take no longer than the process for a building permit and should be able to be done at the same time.

*How will a property be reviewed for its heritage elements?*

### Response

Properties are divided into three categories: buildings of historic interest, complementary buildings, and other buildings. Only buildings of historic interest will be subject to a full review. Complementary and other buildings will receive an accelerated approval delegated to staff.

When a full heritage review is required, the proponent will have to complete a form and meet with the Review Committee. When the Review Committee is comfortable with the proposal they will make recommendation to the City's Heritage Advisory Committee which then makes a recommendation to City Council.

*Can a HCD be reduced to a smaller area than the study area?*

Response

A heritage conservation district will be defined according to the results of the study. This may be potentially smaller than the study area, but the consultants and staff are recommending that the entire study area be designated.

*Are there City funded initiatives for area improvements?*

Response

The City can not make funding commitments at this time.

*The City should establish heritage conservation easements for those City owned buildings in Old Port Credit Village that have been listed 'as being of Historic interest'.*

*The HCDP should make owners of heritage buildings aware of the option of entering into heritage easements and the City should encourage such easements.*

Response

The issue of heritage easements applies to all designated properties across the City. This will be an issue for the Heritage Advisory Committee to consider in the future. The same approach would apply for future archaeological incentives.

*The City should explore all reasonable legal mechanisms and incentives to encourage professional archaeological investigation, especially in the even of development or redevelopment.*

Response

This matter is dealt with in Mississauga Plan, which establishes the policies for requiring archaeological assessment.

*The MHF should be listed as a potential resource for residents in researching local history and heritage.*

Response

The Mississauga Heritage Foundation (MHF) has been noted in the HCD Plan as a resource for information.

**Historic Interpretation**

*Also consider vintage street lamps, special OPCV street signs and historic interest signs at key spots around the village.*

*Consider returning Mississauga Road South to its original name "Joseph Street" (after the Mississauga Chief who was one of the Credit Harbour Company founders).*

Response

Interpretive opportunities will be assessed when considerations are made for local improvements in conjunction with budget and funding sources. The City will endeavour to include interpretive opportunities where possible.

The name change of Mississauga Road South to "Joseph Street" is not possible as Joseph Street already exists and would cause a duplication.

*I am concerned about the impact the Historical Designation will have on the value of my house.*

Response

The concern about the effects of a Heritage Conservation District on the market value of properties is a common concern. The Ministry of Culture in cooperation with the University of Waterloo completed a province-wide study which indicated that there was no evidence to indicate that heritage designation lowered market values. Market values within a Heritage Conservation District were often higher due to the stability and planned change for the community.

*I am concerned about what affect the Historical designation might have on my house insurance. If the house needs to be rebuilt, can it be rebuilt with modern materials instead of having to search for special bricks or 12" baseboards and trim?*

*Residents have not had enough time to consider the issue of house insurance.*

Response

There have been instances throughout Ontario where the insurance industry has refused to insure heritage designated properties. To date, there have been no recorded instances within Mississauga. This phenomena is due to the misunderstanding by some members of the insurance industry that replacement would be to strict guidelines. Should a building be destroyed by fire or some other means it is not expected that the owner would have to duplicate the original features. As stated earlier in this document, a first principle in heritage conservation is not to falsify architectural details; therefore, if elements, or an entire building were destroyed, it would be best to replace them in a complementary fashion, but not a duplication. This situation is being monitored by the Ontario Ministry of Culture and the Ontario Heritage Foundation.

*Clarify composition of Heritage Permit Review Committee to ensure the Port Credit Village residents are represented.*

Response:

The Heritage Conservation District Plan outlines a heritage permit review process whereby applications would be sent through a local review committee. The actual composition of the review committee has not been established, but it will include local representatives to ensure that local views and concerns are considered. The full process and review committee will be considered by the City's Heritage Review Committee, which under the terms of the *Ontario Heritage Act*, must be consulted prior to City Council's recommendations.

*That the plan (Heritage Conservation District Plan) be amended to state that the City will invite proposals from residents and groups for ecologically progressive, cost-efficient enhancements to the features and management of J.C. Saddington Park.*

*Reorient Saddington Park to emphasize views.*

*Over time, and as Parks Dept. budgets permit, the new plan should call for the restoration of inviting lake views from Lakeshore Road down John and Peter Streets by moving small parts of the artificial berms and relocating trees in line with those tow streets...provide for future restoration of the traditional water access by gently grading the shoreline down to the water level...the old water works buildings should be restored and put to good public uses such as art gallery...*

Response

The foregoing recommendations are management and design issues and not one for a Heritage Conservation District Plan. These matters may be considered during the Master Plan stages for JC Saddington Park prior to any redevelopment. Currently, there is no fixed date for this redevelopment.

### **Matters that Require Heritage Review**

*There are too many improvements that require a Heritage review.*

*Heritage Review for masonry cleaning, masonry repointing, masonry painting for buildings of historic interest and removal or addition of architectural detail on buildings of historic interest is excessively restrictive.*

*There are too many hurdles to overcome in order to make any small changes or additions or even some on how to wash their homes... This whole study has become ambiguous to the homeowners of Old Port Credit Village.*

*Owners of homes with no historical merit should be allowed much more latitude than heritage homes. Restrictions should protect the overall character. Include non compulsory guidelines to encourage but not require use of siding and red brick; discourage but do not prohibit stone, stucco, other brick colours and other siding materials.*

*I encourage you to automatically pre-approve all heritage permit items which do not require building permits for complementary and other homes.*

*The policies being proposed are now becoming much more restrictive, not permissive as first promised.*

### **Response**

It is the intent of the Heritage Conservation District Plan to be more permissive than restrictive. The consultants are recommending that the City enact a delegation by-law that would provide staff with the authority to act on behalf of City Council to approve minor alterations to property within the HCD. The consultants also recommend that the by-law identify minor alterations which will be deemed to have received a heritage permit without the need for staff approval. A full review would be required if the alteration was to have a significant affect on the building from the streetscape, or may significantly alter a building of historic interest.

The cleaning of brick and repointing brick on a building of historic interest is a concern. If this process is not completed in a professional manner it can cause a great deal of damage. Staff would want to ensure that the work is being done by a professional who has experience in cleaning or repointing techniques. The approval process would be streamlined and would not be subject to a full review.

## **Requirements for Complementary Buildings**

*Why should complementary buildings be subject to the same amount of scrutiny as heritage buildings if the Heritage Act only deals with buildings of historical significance?*

*Why is my house affected by the Heritage District if it is considered to be ‘complementary’?*

### **Response**

The *Ontario Heritage Act* states that, "...no owner of a property located in the heritage conservation district shall erect, demolish or remove, or permit the erection, demolition or removal of, any building or structure on the property or alter, or permit the alteration of, the external portions of any building or structure on the property, unless the owner applies to the council of the municipality..". In other words, the Act does not distinguish between one type of building or another, as they all contribute to the character of a heritage conservation district. Therefore, staff will be seeking the delegation of authority from City Council in order to streamline the approval process and make it as easy as possible for area residents.

## **2. Mississauga Plan**

### **Mainstreet Commercial Designation - Uses**

Numerous comments have been received objecting to, or in support of, the Mainstreet Commercial designation on the west side of Front Street South, particularly with respect to the townhouses permitted by that designation. Concerns have been expressed that:

- townhouses are inherently incompatible with the concept of a Heritage Conservation District and the current "village character";
- redevelopment of existing detached dwellings for townhouses will result in a loss of detached dwellings which are a significant component of the heritage and village character;
- redevelopment for townhouses will result in loss of mature trees;
- townhouses will adversely affect views of the village.

Instead of townhouses some residents are in support of retaining the existing detached dwellings, but allowing them to be used for commercial uses, which has already occurred on the lands on the west side of Front Street South, north of Port Street.

## **Comments Objecting to Mainstreet Commercial**

*New townhomes and retail/commercial buildings are not welcome along Front St. The Mainstreet Commercial designation should be replaced.*

*The Mainstreet Commercial Designation should be returned to the 'Village Commercial designation'.*

*The 'node' designation is inconsistent with the character of the village.*

*Regarding the 'Mainstreet Commercial' designation, how can destroying 10% of the single family houses and replacing them with rows of new townhouses and commercial buildings enhance the village character. Why does your plan propose to lessen the impact of buildings that don't exist yet? If you already know their impact will be harmful you should prohibit them.*

*How (does) the proposed Mainstreet Commercial zoning on Front Street South (will) support or enhance the historic character of the village as the consultants described it in your study and the goals and objectives outlined in your February 3 draft report*

*The spectre of more townhouses remains a major threat to the village and is strongly opposed by the overwhelming majority of residents. The new plan must explicitly prohibit more townhouses.*

*The discussions of the planning tools in phase 2 need to deal with the crucial issue of prohibiting townhouses.*

*Our neighbourhood is unique and should be treated as such. We want to stop monster homes, townhomes, and apartments and improve access to the river and lake. We strongly feel that the lands along Front Street must also be preserved and given the same zoning consideration.*

*Stop Mainstreet Commercial zoning and eliminate the Commercial Node on Front Street %it is about more than just stopping town houses. It should be all about the appropriate low density mix of residential built forms and the existing quiet commercial uses of the space between the west bank of the river and west side of Front Street South. Village Commercial is the answer.*

*Please help us save the unique mix of authentic historical buildings, land uses, and quiet neighbourhood character that is being eroded by the introduction of monster homes and townhouses that over-shadow the smaller village style homes.*

*Our neighbourhood is unique and should be treated as such. We want to stop monster homes, townhomes, and apartments and improve access to the river and lake. We strongly feel that the lands along Front Street must also be preserved and given the same zoning consideration.*

*What is not recognized is that once the door is opened to more townhouses, the trend is likely to continue, possibly not in the next few years, but perhaps in 5 to 10.*

*The whole node issue should be reconsidered as the area facing the waterfront should not be developed with townhouses or apartments . The area should be kept as a gateway to the Village as it was 100 years ago.*

*Townhouses are not suitable for Front Street. They would obstruct the views towards the River. Old Port Credit has a more significant connection to the west bank of the Port Credit River than it does to the lake. Townhomes do not conform to the philosophes presented throughout the study.*

*The current townhomes are dwarfing Wilcox Inn.*

*Further commercial development of the "node" (what a horrible name) is a bad thing. I certainly do. Also, no more townhouse.*

### **Comments in Support on Mainstreet Commercial**

Other residents are in support of the uses permitted by the Mainstreet Commercial designation. They support it because:

- they wish to preserve the flexibility afforded by this designation for the future;
- it will attract tourists;
- it provides neighbourhood diversity;
- it increases property values;
- it lessens the impact of adjacent apartment buildings.

Some of the specific comments are:

*I like the flexibility that this designation affords the area.*

*I live at 25 port street, I support the idea that the area needs to be preserved, but I support the Mainstreet Commercial designation. My home is not designated and I'd like to keep it as a single family home for the present time but I like the idea that I would have a choice in the future.*

*I am a strong advocate of the 'mainstreet commercial' designation as it will get the attention of the tourist to stroll over the bridge to mingle, shop and come down our streets.*

*What I like best about this neighbourhood is its diversity from its high rises, to its low rises, to condos and new homes, to the older homes.*

*I am concerned about the equity in my home if it is redesignated to Residential from Mainstreet Commercial. I feel I am being misrepresented by a group who want the land along Front street to be part of the study.*

*We do not favour the property being designated as historical, but wish for it to stay as mainstreet commercial zoning only, as was intended when we originally purchased the property years ago.*

*I am in favour of additional street townhomes, infill layed out in small groups.  
Examples: a) Port Street W. north side between John and Peter St. (currently a pre-school)  
b) south lot alongside 36 Front St. S. to lessen the impact of the 5 storey and 20 storey apartment buildings.*

*Currently, I am one of only a handful of property owners that fall into the Main Street Commercial designation. This was designated by professional, experienced and knowledgeable city planners. I happen to respect those opinions and as such, I had no objections to their potential vision and direction of such properties. Consultants were also hired to serve as an objective professional entity to evaluate such proposals and those consultants also agreed to the Main Street Commercial designation.*

*I like the guidelines for the new townhomes proposed on Front St. but am concerned about the view down Port and Front St. being ruined if a wall of high rise townhomes or apartments were built. I would rather see attractive townhomes in this area, built to preservation guidelines to reflect the historic character, than see my old house there no matter how much I love it.*

*Also, at issue is the extemporaneous abandonment of the Village Commercial designation for Front Street South in favour of the existing and far more liberal designation of Mainstreet Commercial.*

### Response

The consultants have recommended that Mississauga Plan be amended to prohibit townhouses and free-standing apartment buildings on the west side of Front Street South. Instead, they recommend specific policies which will permit the use of the dwellings for commercial purposes, or a mixture of commercial, with apartment dwellings above. Policies will require that the buildings, whether new or modified, have a detached dwelling appearance consistent with the form, design, and scale of surrounding residential area, and that the use have a limited impact on the residential character.

This recommendation is endorsed by staff as it is consistent with a Heritage Conservation District, permits the use or redevelopment of the lands for alternative uses (retail commercial, offices, apartments) and will result in redevelopment in keeping with the planning vision of harbour related activity.

### **Boundaries of the Mainstreet Commercial Designation**

The residents of Port Street have expressed concerns, both in opposition to, and in support of the extent of the Mainstreet Commercial designation, along the south side of Port Street, specifically 23, 25 and 27 Port Street.

In particular, they have commented:

*I live at 29 Port Street West and the three properties east of my home were designated 'light commercial' a few years ago. Nobody, including the homeowners were made aware of this. I do not want a commercial designation next to my house. Given what the City wants to accomplish, surely they will be changed back to 'single family residential'.*

*I believe the commercial designation for the three properties on Port St. W. is inappropriate and should be removed, therefore removing the ability to build more townhouses.*

*I live at 27 Port street, which is designated commercial. We are planning a small addition which is within the parameters and wanted to know if the new guidelines apply to this property?*

*I live at 25 port street, I support the idea that the area needs to be preserved, but I support the Mainstreet Commercial designation. My home is not designated and id like to keep it as a single family home for the present time but I like the idea that I would have a choice in the future.*

*I wish to maintain the Mainstreet Commercial for my property. I like the flexibility of choice that this offers me into the future.*

### Response

The consultants propose to adjust the extent of the Mainstreet Commercial designation to apply only to those lands immediately abutting onto Front Street South. This would have the effect of removing No.'s 25 and 27 Port Street West and 26 Bay Street from the Mainstreet Commercial designation and applying a "Residential-Low Density I" designation to these properties. The intent of this amendment is to recognize the opportunity for Mainstreet Commercial uses on those properties which either front or abut directly onto Front Street South opposite Marina Park. The deletion of the Mainstreet Commercial designation from the three properties noted above would have the effect of maintaining existing Low Density Residential land uses which relate to the interior of the village.

### Former Refinery Lands

The lands to the west of the study area, the site of the former Esso refinery, were subject to the following comments:

*No road access from the Esso property to the village site. Enter and exit onto Lakeshore only.*

*Establish a wooded buffer the full length of Mississauga Road.*

*Limit building heights to two storeys on the eastern edge of the property abutting Mississauga Road South.*

*Require public green space and The Waterfront Trail foot/bike paths routed along the shoreline in front of any future Esso development.*

### Response

The former Esso lands are designated "Land Use To Be Determined" because it is not known to what degree the site can be remediated. It is premature to consider the road pattern for these lands until their future use and intensity of use is determined. The Transportation and Works Department comments that:

"It is this department's preference at this time to keep the option of future road integration open. This matter can be reviewed in detail when a development application for the refinery lands is received."

The consultants proposed Official Plan amendment does not incorporate this request, and it is not supported by staff. No action is recommended.

With respect to the wooded buffer, this request is dealt with by Section 4.27.3.1.6 (b), Historical Village, which states that "Mississauga will encourage landscape screening along the west side of Mississauga Road South to buffer the adjacent Imperial Oil site".

Mississauga Plan establishes a two to three storey height limit for buildings on the west side of Mississauga Road South.

### **Site Specific Requests**

#### 23-25 Peter Street

The owner of 23-25 Peter Street has requested that her duplex be recognized in the Zoning By-law, notwithstanding that the Mississauga Plan "Residential Low Density I" designation only permits detached dwellings. The consultants recommend, and staff endorse, amending Mississauga Plan to recognize the existing duplex at this location to permit this use in the Zoning By-law.

#### 16 Front Street South

The owner of 16 front Street South does not support a Heritage Conservation Plan, but wishes to retain the lands Mainstreet Commercial designation. Subject to the consultants recommendation to not permit townhouses and apartment buildings, there is no change recommended to the designation of this property.

### 3. Zoning By-law

Comments have been received both in support of, or in opposition to the proposed zoning by-law amendments. In some cases, the respondents interchanged the Official Plan and zoning by-law; these have been dealt with under Mississauga Plan.

Some of the general comments are:

*I am not in support of any zoning changes.*

*I want zoning to protect the neighbourhood from monster and townhomes.*

*The entire community wants to prevent out of scale development. Even the inhabitants of the townhomes on Front St. who oppose heritage, are strongly opposed to large development between themselves and the river. If R1 zoning and site plan approval have the power to prevent townhomes, apartment buildings and monster homes you then would likely get widespread support. If R1 zoning and site plan approval cannot prevent townhomes, apartments and monster homes, then we must consider Heritage protection.*

*The problems of poor planning can be addressed with proper zoning, not by forcing everyone to conform to a small groups idea of what a neighbourhood looks like.*

*I want access to the lake to be improved and hope that a wall of high rises will be prevented in the area. I am concerned about the HR4 zoning and hope that it is changed to single family dwelling units.*

*We heartily recommend that you maintain all single family detached lots. It is our understanding that a zoning change to R1 would accomplish this. We support single family dwellings only with no conversion to multi-units of any kind, a house size of 3500 sq. ft. or less depending on lot size, max two storeys, gable roof construction, garages detached at the rear or attached garages with a 3m setback from the front of the house. Only single side driveways with no circles.*

*I support zoning to recognize existing apartment buildings, institutional buildings and the Masonic Temple.*

*Can zoning without an HCD and related HCDP, preclude “monster homes”?*

*If what you are considering, R1 zoning plus site plan approval has the power to prevent town homes, apartment buildings, and monster homes you would likely get widespread support as this appeal to the desires of the majority of homeowners.*

*We recommend the combination of restrictions you choose to implement should protect the overall neighbourhood character ie single family dwellings with no conversions to multi units...3500 sq.ft feet or less depending on lot size, max 2 storeys, gable roof construction, with garages detached at the rear of the lot or attached garages set back at least 3 metres form the front of the house, single side driveways with no circles or double drives, green spaces separating homes, minimum setbacks....but exceptions should includes addition of porches....*

Response

The existing zoning by-law is obsolete. Amendments are required to bring it into conformity with Mississauga Plan, recognize existing land uses, prohibit certain commercial uses, and guide development consistent with the Heritage Conservation District Plan. The proposed zoning by-law amendments recommended by the consultants are endorsed by staff. They will, among other matters, only permit detached dwellings in areas planned for this use; will recognize the existing apartment buildings; and will permit dwellings with a reasonable size and height consistent with the heritage character of the area. It will also require that garages be setback from the front of the house, and permit porches to encroach into the front and side yards.

**Building Height**

*Restrict building height to and absolute height (21') not just two stories. This is to prevent a house from having a 'unfinished' 3rd floor below the roofline.*

*I support the issue of the 21' height limit. We must ensure that even with a Heritage Conservation designation, that any rules, guidelines and zoning by-laws will not allow the further erosion of the character of this area.*

*There should be a height restriction in order to maintain the integrity of the few remaining bungalows in the area.*

*Building height should not be taken to the eavestrough but instead a total height should be calculated.*

*I would like to add a maximum house height , say 25 ft, to the zoning by-law recommendations.*

Response

The consultants have recommended, and staff endorse, that the proposed zoning by-law incorporate an 8.2 m (27 ft) height. This will permit two storey dwellings with 2.7 m (9 ft) ceiling heights, and with a height and roof pitch consistent with the heritage character.

**Garages**

*We object to the proposed restriction of single car garages, and a minimum of 10 feet behind the main building line. The character of the area can be maintained without these restrictions. With some reasonable design controls, attached double garages would be acceptable and not detract from the village character.*

*There is concern over the recommended side yard setback and garage location. The setback and dimensions are not realistic given today's vehicular demands.*

Response

In the draft Heritage Plan, detached garages for buildings of historic interest are preferred, but attached garages are acceptable if placed behind the front of the house. An attached double garage would be permitted by the zoning by-law. The 3 m (10ft) setback is designed to create a sense of visual depth more like the traditional garage setback from the house. Driveways may be located within the side yard.

A resident has questioned whether or not the detached garage size of 30 m<sup>2</sup> (323 sq. ft.) is calculated in addition to the maximum house gross floor area.

Response

If the garage is attached it will be calculated as part of the maximum gross floor area of the house. If it is detached, it will not be included in the maximum gross floor area.

23-25 Peter Street

The owner of 23-25 Peter Street wishes to retain the former "R4" zoning of her property.

Response

The "R4" zoning, while it would permit the existing duplex, would also permit an apartment building, which does not conform to Mississauga Plan, and is inconsistent with the study objectives. The consultants recommend, and staff endorse that the lands be zoned to a "R1" Special Section zone to permit the use of the lands for a duplex.

**Minimum Lot Frontage**

*Why is the minimum lot frontage 39 ft and not 33 ft ?*

Response

The proposed lot frontage requirement of 12m (40 ft) is the current lot frontage requirement in the Port Credit Zoning By-law for all detached dwellings. There are only four lots that do not meet this requirement; however, a number of lots have frontages which represents the width from the original survey (66' +/- or one 'chain'). Maintaining 12m (40 ft) precludes severance of these lots, of which there are 14, into two parcels.

**Minimum Lot Area**

*If the existing character and heritage of the area is to be maintained, can there be flexibility with the minimum lot area?*

*What is the rationale for the proposed minimum lot area of 500 m<sup>2</sup> ( 5,382 sq.ft).*

Response

The proposed minimum lot area of 500 m<sup>2</sup> (5,382 sq.ft) would only apply to the creation of new lots. The proposed minimum lot area of 500 m<sup>2</sup> (5,382 sq.ft) represents the median of lot areas in the study area and was designed to prevent severances of lots inconsistent with the character of the area.

**Maximum Dwelling Size**

*The maximum gross floor area of 2,960 sq. ft. appears arbitrary and would prefer a maximum house size of 3,500 sq ft.*

*Why is the maximum house 2,950 sq. ft.?*

Response

The maximum dwelling size was based on an analysis of existing houses of which 92% are under this limit (ie. only the largest houses exceed this limit). It allows, in a large majority of cases, room for the existing dwellings to be increased in size. No action is required.

**Proposed Redevelopment Plan**

An owner has requested that the proposed zoning by-law permit the redevelopment of his property for freehold condominium detached dwellings, with a lot area of about 150 m<sup>2</sup>, (1,614 sq. ft.).

Response

Based on information provided, the proposal appears to not conform the area's Residential Low Density I designation. This request should be dealt with through an application to amend the Official Plan and Zoning By-law. No action required.

**4.0 Other Issues**

Marina Park

*I am in favour of zoning Marina Park "Open Space" but permit upgrading boat ramps and parking areas, walkways with shoreline renovation comparable to the opposite side of the river. I favour a feasibility study for a Master Plan proposal prior to any additional building development at Marina Park.*

*I am in favour of opening up sight views from streets and zoning Marina Park open space.*

*Turn Marina Park into a park.*

*River front land use emphasis should be open space, not commercial intensification...Easy views and pedestrian access to the water are crucial for any future development...Buildings should be allowed to cover no more than 20% of the total river front land area...future buildings on the east side of Front Street S., should be limited to same height as the village marina building (or maximum 15 ft to the eaves/23 ft to roof peak) and a maximum gross floor area of 2,000 sq.ft.*

*The Waterfront Trail should be routed along the water's edge as a public promenade connecting with JC Saddington Park by going around the water side of the Rivergate apartment building at 35 Front St S.*

### Response

The proposed land use planning framework for Marina Park will allow park development in conjunction with the potential to include complementary uses to enhance its development as an integral and vibrant part of both the Port Credit harbour and the Old Port Credit village. The details of site layout and pathway connections to other area open spaces are some of the matters which will be reviewed during the formulation of the Master Plan in conjunction with technical studies which will determine the site's development limits. Currently, there is no fixed date for this park's redevelopment.

### Bicycle Path

*The city should IMMEDIATELY CREATE A BIKE / FOOT PATH (sic) by partitioning an 8-10 ft wide swath on the west side of the (Mississauga Road (between the Esso station and Saddington Park entrance) using concrete or wooden planters, benches and other readily available landscape barriers. This would increase safety and immediately improve the intimacy of the street.*

### Response

Transportation and Works Department comment that it is their understanding that the Community Services Department is reviewing options for a bicycle path at this location. The opportunities for bicycle lanes and/or bicycle/pedestrian facilities on Mississauga Road should be addressed jointly by the Community Services and Transportation and Works Departments and the appropriate recommendation presented to City Council for approval.

### Street Width

*Over time, as future road and sewer maintenance is done, the new plan should return village streets to the pre-1960's narrower widths by adding side boulevards and appropriate species of street trees. Where side boulevards are impractical, simulate the effect of narrower streets with solutions such as the centre medians recently installed on Mississauga Road south of Dundas and on Oriole Parkway in Toronto.*

## Response

Transportation and Works Department comment as follows:

"The roads within the proposed Heritage Conservation District (HCD) have been laid out predominantly in a grid pattern within 20 m (66 ft.) rights of way. Mississauga Road, Port Street and all other north-south roads between Lakeshore Road and Bay Street are constructed to a 12 m (40 ft.) urban paved, curb and gutter cross section. Bay Street and all roads southerly thereof, with the exception of Mississauga Road, are constructed to an 8.5 m (28 ft.) urban paved, curb and gutter cross-section. Curb side sidewalks have been constructed on both sides of all roads with the exception of the west side of Mississauga Road. Port Street and those portions of Mississauga Road and Front Street from Lakeshore Road to Port Street are designated as a collector road within the Port Credit District Plan. Lakeshore Road, a four lane arterial road, is the northerly boundary of the HCD. Any future widening of Lakeshore Road will require an official plan amendment in accordance with the policies of the Port Credit District Plan.

All of the roads within the HCD were reconstructed in the 1960's from a rural paved ditch cross-section to the urban curb and gutter cross-sections as noted above; and subsequently refurbished by the City in the late 1990's. It has been suggested that it may be appropriate to return the village streets to the pre 1960's narrower widths by adding side boulevards and/or centre medians. From the Transportation and Works Department perspective the existing 8.5 m (28 ft.) travelled roads in the southerly portion of the HCD are only of the minimum width necessary to accommodate the traffic lanes and parking on one side of the road. The 12 m (40 ft.) pavement widths prevalent on the northerly roads, Mississauga Road, a portion of Front Street and the collector road segment are wide enough to support parking on both sides of the road and will accommodate ancillary parking to support existing commercial, waterfront activities and the district park. Adding side boulevards to any of the wider roads to accommodate additional street trees may be impacted by conflicts with existing underground service locations. The proposal for narrower streets is not supported. Any proposal to narrow the roads would be subject to a detailed analysis to address all of the impacts to the area and costs for reconstruction versus the ultimate gain to be achieved."

## **Trees**

*The City's Tree By-law should be amended to require that for any property in Old Port Credit Village, a permit be required to remove, in the same calendar year, two or more trees with diameters exceeding 20 centimetres; or any tree with a diameter exceeding 30 centimetres; and further that the Heritage Advisory Committee review such applications prior to any permits being granted.*

*A homeowner is allowed to cut down 4 trees per year on their property but designation will not allow this without a heritage permit.*

*Restrict destruction of mature trees for construction purposes - especially at the front.*

Response

The City tested a more rigorous permit process in the Tree Permit's trial review period in 2000 for the Port Credit area wherein a Tree Permit was required for the removal of trees having a diameter greater than 6 inches (15 cm). At that time there was no support from the area residents for this process. Currently, the City's Tree Permit By-law 0624-2001 requires a Tree Permit for the removal of five or more trees having a diameter in excess of 8 inches (20 cm). Staff do not support amending the Tree Permit By-law again in light of this history. It is important to note, however, that most of the canopy cover in the old Port Credit Village is from trees at the periphery of the blocks and within the JC Saddington Park and therefore, in all likelihood, are public trees, which would not be removed unless they were considered hazardous. Further, all private trees would be reviewed by City staff during the Site Plan Approval process to determine if proposed construction will impact mature trees and if so, to determine options to negate or mitigate any impacts.